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8 Attorney for Plaintiffs  
9 SUSAN SHAOULI,  
10 TRUSTEE OF THE  
11 JOHN AND SUSAN  
12 SHAOULI LIVING  
13 TRUST, LILLIAN  
14 MOUSAZADEH; RENE  
15 OCAMPO BARRERA

16 **UNITED STATES DISTRICT COURT**  
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 SUSAN SHAOULI, TRUSTEE OF  
19 THE JOHN AND SUSAN SHAOULI  
20 LIVING TRUST; LILLIAN  
MOUSAZADEH; RENE OCAMPO  
BARRERA,

21 Plaintiffs,

22 v  
23 MORSE MEHRBAN; ALEJANDRO  
24 DIAZ; DOES 1-10 INCLUSIVE,

25 Defendants.

26 **Case No.:**

27 **COMPLAINT FOR  
28 DAMAGES AND  
DECLARATORY AND  
INJUNCTIVE RELIEF**

**[42 U.S.C. SECTION 1983 –  
VIOLATION OF CIVIL RIGHTS]**

1 **DEMAND FOR JURY TRIAL**

1 Plaintiffs SUSAN SHAOULI, TRUSTEE OF THE JOHN AND  
2 SUSAN SHAOULI LIVING TRUST, LILLIAN MOUSAZADEH RENE  
3 OCAMPO BARRERA (“Plaintiffs” or as individually named “SS,” “LM,”  
4 “RB”) file the following Complaint and state and allege as follows:  
5

6 **JURISDICTION AND VENUE**

7 1. Jurisdiction of the federal court exists under 28 U.S.C. Sections 1331 and  
8 28 U.S.C. Section 1343(a)(3). This action which arises under the United States  
9 Constitution and laws of the United States, specifically the Fifth and Fourteenth  
10 Amendments of the United States Constitution and involves violations of federal law  
11 actionable under 42 U.S.C. Section 1983 and 15 U.S.C. Section 1692, et seq.  
12

13 **PARTIES**  
14

15 1. Plaintiffs are the legal and beneficial owners and operators of real  
16 property located at 3865 Whittier Blvd., Los Angeles, CA 90023 (“Property”).

17 2. Defendant MORSE MEHRBAN (“MM”) is an attorney whose principal  
18 place of business is at 15720 Ventura Blvd., Suite 306, Encino, CA 91436.

19 3. Defendant ALEJANDRO DIAZ (“AD”) is an individual who at all  
20 times material herein resides in Los Angeles County, CA.

21 4. The true names and capacities, whether individual, corporate, associate  
22 or otherwise, herein named as Does 1 through 10, and persons heretofore  
23 unknown involved in the actions taken against the plaintiffs is unknown to them at  
24 this time. Plaintiffs are informed and believe and based thereon allege that each of  
25 the DOE defendants are responsible in some manner for the events herein referred  
26 to, and that plaintiffs’ injuries and damages as herein alleged were proximately  
27  
28

1 caused by those defendants. Plaintiffs sue said defendants by such fictitious names  
2 on the grounds that the true names and capacities of said defendants are unknown  
3 to them at this time. Plaintiffs will amend this complaint when the true names and  
4 capacities of said Doe defendants are ascertained. Each reference in this complaint  
5 to "defendant," defendants," or a specifically named defendant also refers to  
6 defendants sued under their fictitious names.  
7  
8

9 **FACTS COMMON TO ALL CLAIMS**  
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11 5. Plaintiffs are owners of the Property which operates as a commercial strip  
12 mall with various businesses leasing units at the Property from them.  
13

14 6. At all times material herein, the Plaintiff RB leased a space at the Property  
15 operating a bakery open to the public.  
16

17 7. On March 15, 2024, Defendant MM filed a complaint for damages on  
18 behalf of the Defendant AD against the Plaintiffs in the Los Angeles Superior Court  
19 in a case entitled Alejandro Diaz v Susan Shaouli, et al., LASC Case No. 24STLC01870  
20 alleging a violation of the Unruh Civil Rights Act, California Civil Code Section 51,  
21 claiming a violation of the American Disabilities Act, 42 U.S.C. Section 12182 and  
22 C.F.R. Sections 36.201 and 36.206 in being unable to access BB's bakery as a claimed  
23 disabled individual ("State Case").  
24

25 8. After serving the Plaintiffs in the State Case, prior to May 8, 2024,  
26 Plaintiffs' counsel in the State Case contacted the Defendant MM and MM and  
27 Plaintiffs' counsel agreed to a three week extension to file an answer to the complaint  
28 because Plaintiffs' counsel's wife had been hospitalized on April 28, 2024 ("Agreement  
1").  
2  
3

1  
2       9. Yet, despite the agreement between Plaintiffs and the Defendants, on  
3 May 8, 2024, the Defendants, without notice and opportunity to be heard, requested and  
4 entered a default in the State Case against the Plaintiffs and on May 17, 2024, once  
5 again, without notice and opportunity to be heard, requested and entered a default in the  
6 State Case against the Plaintiffs in the amount of \$5,286.75, which included \$4,000.00  
7 in damages, \$800.00 in attorney fees, and \$486.75 in costs (“Judgment”).  
8  
9

10      10. After the entry of the Judgment, on June 5, 2024, Plaintiffs’ counsel  
11 contacted the Defendant MM by e-mail, requesting that he and the Defendant AD  
12 stipulate to set aside the default and Judgment given the Agreement, and on the same  
13 day, the Defendant MM agreed in an e-mail to set aside the default and Judgment.  
14 (“Agreement 2”).  
15  
16

17      11. Nevertheless, despite the actions set forth in paragraphs 7-10 above, and  
18 Agreements 1 and 2, the Defendants instituted collection actions on the Judgment  
19 against the Plaintiffs in the State Case, requesting from the Court and obtaining a Writ  
20 of Execution (“Writ”) on December 6, 2024 threatens to execute the Writ by way of the  
21 Los Angeles County Sheriff’s Department on Plaintiffs’ real and personal property,  
22 and recording an Abstract of Judgment on March 18, 2025, and a Memorandum of Costs  
23 after Judgment on April 10, 2025, all without notice and opportunity to be heard by the  
24 Plaintiffs, and without ever informing the court in the State Case the actions set forth in  
25  
26  
27  
28

1 paragraphs 7-10 above, and Agreements 1 and 2.

2       12. Despite the fact that Plaintiffs contend that the default and Judgment  
3       are void as a matter of law in violation of the Due Process Clause of the Fourteenth  
4       Amendment of the United States Constitution, and can be attacked as such at any time,  
5       the Plaintiffs do not seek to litigate the default and Judgment in this Court, but state  
6       such facts as historical facts in this case.  
7

9       13. Rather, Plaintiffs seek their civil rights remedies under 42 U.S.C. Section  
10      1983 and their federal statutory rights under 15 U.S.C. 1692 et seq. as to the post-  
11      judgment collection actions by the Defendants, and each of them, and will seek to set  
12      aside the default and Judgment in the State Case.  
13

14 Based on the above facts, Plaintiffs allege the following claims

## **FIRST CLAIM OF RELIEF**

**(Violation of 42 U.S.C. Section 1983 by Plaintiffs  
Against All Defendants)**

19       14. Plaintiffs allege and incorporate herein by reference each and every  
20 allegation contained in paragraphs 1-13 above.

22       15. Plaintiffs allege that in doing all of the things herein mentioned, the City  
23 and all of the defendants, and each of them, acted under color of the statutes, regulations,  
24 customs and usages of the County of Los Angeles and the State of California for  
25 purposes of “state action” and “color of law” under 42 U.S.C. Section 1983.  
26

16. Plaintiffs further allege that in doing all of the things herein mentioned, the Defendants, and each of them, violated and further threaten to violate the constitutional and civil rights of the Plaintiffs, in particular their individual rights under the Fifth and Fourteenth Amendment of the United States Constitution Takings Clause; and the Fourteenth Amendment of the United States Constitution Due Process Clause, both its substantive and procedural components, and the Fourteenth Amendment of the United States Constitution Equal Protection Clause.

17. Defendants are not entitled to any immunity, qualified or otherwise.

18. As a proximate result of the foregoing actions of the defendants and each of them, Plaintiffs each have been injured and suffered economic and non-economic damages according to proof at trial but believed to be not less than \$10,000,000.00 against each Defendant, and are also entitled to appropriate declaratory and injunctive relief. Plaintiffs are also entitled to their reasonable attorney's fees under 42 U.S.C. Section 1988.

## **SECOND CLAIM OF RELIEF**

**(Violation of 15 U.S.C. Section 1692, et seq. by Plaintiffs  
Against Defendant MM Only)**

19. Plaintiff alleges and incorporates herein by reference each and every allegation contained in paragraphs 1-18 above.

1 . 20. In taking the actions, set forth in paragraphs 1-18 above, the Defendant  
2 MM violated the Plaintiffs federal statutory rights under 15 U.S.C. Section 1692, et  
3 seq., the federal Fair Debt Collection Practices Act (“FDCPA”).  
4

5 21 As a proximate result of the foregoing actions of the defendants  
6 and each of them, Plaintiffs each have been injured and suffered economic and non-  
7 economic damages according to proof at trial but believed to be not less than  
8 \$10,000,000.00 against each Defendant MM, and are also entitled to appropriate  
9 declaratory and injunctive relief. Plaintiffs are also entitled to their reasonable  
10 attorney's fees under the FDCPA.  
11  
12

13 WHEREFORE, Plaintiffs prays judgment against the Defendants, and  
14 each of them, as follows:  
15

16 **FIRST CLAIM FOR RELIEF**

17 1. For damages according to proof at trial but  
18 believed to be not less than \$10,000,000.00;  
19  
20 2. For appropriate declaratory and injunctive relief;  
21  
22 3. For attorney's fees;

23 **SECOND CLAIM FOR RELIEF**

24 4. . For damages according to proof at trial but  
25 believed to be not less than \$10,000,000.00;  
26  
27 5. For appropriate declaratory and injunctive relief;  
28  
29 5. For attorney's fees;

1  
2                   **FOR ALL CLAIMS FOR RELIEF**  
3

4                   7. For costs of suit;  
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6                   8. For such other and further relief as the Court deems proper.

7                   Dated: April 28, 2025                   LAW OFFICES OF FRANK A. WEISER  
8

9                   By: /s/ Frank A. Weiser  
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12                   FRANK A. WEISER, Attorney for  
13                   for Plaintiffs SUSAN SHAOULI,  
14                   TRUSTEE OF THE JOHN  
15                   AND SUSAN SHAOULI LIVING  
16                   TRUST, LILLIAN MOUSAZADEH;  
17                   RENE OCAMPO BARRERA  
18

19                   **DEMAND FOR JURY TRIAL**  
20

21                   Plaintiffs hereby demand a jury trial pursuant to F.R.C.P. 38.  
22

23                   Dated: April 28, 2025                   LAW OFFICES OF FRANK A. WEISER  
24

25                   By: /s/ Frank A. Weiser  
26

27                   

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28                   FRANK A. WEISER, Attorney for  
29                   for Plaintiffs SUSAN SHAOULI,  
30                   TRUSTEE OF THE JOHN  
31                   AND SUSAN SHAOULI LIVING  
32                   TRUST, LILLIAN MOUSAZADEH;  
33                   RENE OCAMPO BARRERA  
34